

Jan 21, 2011

EXHIBIT 16
DATE 1-21-11
HB 68

RE: HB 68

Good Afternoon Mr Chairman and members of the committee, for the record my name is Mike Fellows and I live in Missoula. I rise in opposition to HB 68. Voters knew what they were voting on when they passed I-148 by wide margins. This industry is evolving and we should let process and market work. Do we need to make the process harder for people who feel they need medical cannabis. We don't need the patient to see multiple doctors just to get approved. I'm also worried about getting rid of the affirmative defense. Author Peter McWilliams of California lost his case even though Prop 215 had legally passed in California. The courts did not allow McWilliams to use prop 215 as a defense in his case. He later choked on his vomit, because the cannabis he was using was keeping his other medicine where it was supposed to be. Juries are very important. We got rid of prohibition because juries refused to convict. Now we are seeing that with the war on drugs, ~~where~~ juries are refusing to convict. Were seeing that in Missoula. Juries have the right to judge the law and vote their conscience and the judges instructions have no bearing on the juries actions. This bill seeks to increase government with a new program costing taxpayers. I therefore urge a do not pass on HB 68.

Thank you for your time.

January 21, 2011

Re: HB 19

Good Afternoon Mr Chair and members of the Committee, for the record my name is Mike Fellows and I live in Missoula. I stand in opposition to HB 19. I thought and still think that the smoking ban should have been about the rights of property owners to decide the smoking issue. Since the original bill did not include private residence that infers some sort of property rights. We have a number of laws that deal with those who have disabilities and if a business allows reasonable use of medical cannabis, that should be the case. The legislature has an excellent opportunity to allow private property open to the public to make those choices on the smoking issue. And we as citizens, have the choice not to go into a business for which there may be smoking.

I therefore urge an amendment to HB 19 to return the property rights to owners or the tabling of HB 19. Thank you for your time.